

STATE OF MINNESOTA  
COUNTY OF CARVER

DISTRICT COURT  
FIRST JUDICIAL DISTRICT

COURT FILE NO.: \_\_\_\_\_  
PROSECUTOR FILE NO.: FE-16-48083

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State of Minnesota,

Plaintiff,

v.

**Complaint Warrant**

Brandon Lee Hawley, DOB 9/20/1979 (36)  
2445 Acorn Run  
Victoria, MN 55386

Defendant.

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The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s):

Count: 1	Insurance Fraud-Present False Representation/Conceals Facts-Claim for Payment
In Violation of:	609.611 subd. 1(a)(2)
Penalty Statute:	609.52 subd. 3(3)(a) - Theft-Value of Property or Services \$1001-\$5,000
Supplemental(1):	609.611 subd. 3 - Ins Fraud-Sentence
MOC:	U111H
ICR:	16000547
Penalty:	5 years and/or \$10,000

On or about 3/28/2016, within the County of Carver, defendant with the intent to defraud for the purpose of depriving another of property or for pecuniary gain, made a false insurance claim that contained a false representation as to any material fact, or concealed a material fact concerning a claim for payment, or benefit under an insurance policy, and the value of the property or services stolen was more than \$1,000 but not more than \$5,000, to wit: \$3,700.

**STATEMENT OF PROBABLE CAUSE**

On March 14, 2016, Brandon Lee Hawley, hereinafter the defendant, purchased a black Ford Taurus. On March 16, 2016, at approximately 7:24 a.m., the defendant obtained an insurance policy from the Geico Insurance Company. Approximately one half hour later, the defendant called Geico to report that he struck a deer on Highway 5 in the City of Chanhassen. According to the defendant, the deer struck the left side of his vehicle, and tore off his mirror. The defendant went to Pearson's Auto, located in the City of Shakopee, and obtained an estimate to repair in the amount of \$6,190.43. Pictures were taken of the damage to the defendant's vehicle.

On March 24, 2016, the defendant met with J.M. of Geico Insurance. The defendant told J.M. that he had an additional policy with the Progressive Auto Insurance Company. The defendant provided J.M. with documentation, which According to J.M., appeared as if it had been altered. J.M. called Progressive and found that no policy existed.

On March 24, 2016, Special Agent Sheila Owen, of the Minnesota Commerce Fraud Bureau spoke with J.M. who informed her that the damage to the defendant's vehicle was inconsistent with the defendant's account.

On March 24, 2016, the defendant contacted the Progressive Insurance Company and took out a policy on the Ford Taurus. On March 28, 2016, the defendant called Progressive to report that he hit a deer with his Ford Taurus, damaging the left side and mirror of his vehicle. The defendant took his vehicle to Youngstedt's Collision Center, located in the City of Chanhassen, Carver County, Minnesota, and obtained an estimate in the amount of \$3,700. A Progressive representative met the defendant at the repair shop, took photographs of the damage to the defendant's vehicle, and noted the damage appeared inconsistent with striking a deer.

On April 1, 2016, Special Agent Owen went to Youngstedt's Collision Center and observed the damage to the defendant's vehicle was the same damage show in the pictures taken at Pearson's Auto.

The defendant was released from the Hennepin County jail on December 1, 2015, for passing a counterfeit check in the amount of \$64,000. Since the defendant's release, according to the Minnesota Department of Commerce, the defendant has committed four new offenses, all involving fraud. Because the defendant continues to commit offenses at a high frequency, and according to Special Agent Owen, today, April 5, 2016, evaded legal arrest, the State, in the interest of protecting the public and securing the defendant's appearance in court, respectfully requests a complaint warrant.

**PLEASE TAKE NOTICE:** Pursuant to Minn. Stat. 609.49., intentional failure to appear for duly scheduled court appearances may result in additional criminal charges, and in addition to any arrest warrant that may otherwise be issued by the Court.

Complainant requests that Defendant, subject to bail or conditions of release, be:

- (1) Arrested or other lawful steps be taken to obtain Defendant's appearance in court; or
- (2) Detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

COMPLAINANT'S NAME:

COMPLAINANT'S SIGNATURE:

Sheila Owen

Sheila Owen

Subscribed and sworn to before the undersigned this \_\_\_\_ day of \_\_\_\_\_, 2016.

NAME/TITLE:

SIGNATURE:

Being authorized to prosecute the offenses charged, I approve this complaint.

PROSECUTING ATTORNEY'S SIGNATURE:

Date: 4/5/16

Eric Doolittle

Eric Doolittle 0394938  
Assistant Carver County Attorney  
604 East Fourth Street  
Chaska, MN 55318  
(952) 361-1062

Court File Number: \_\_\_\_\_

**FINDING OF PROBABLE CAUSE**

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps to be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

**SUMMONS**

THEREFORE, YOU THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ before the above-named court at 604 East Fourth Street Chaska, MN 55318 to answer this complaint.

**X WARRANT**

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I hereby order, in the name of the State of Minnesota, that the above-named Defendant be apprehended and arrested without delay and brought promptly before the above-named court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

X **Execute in MN Only**           **Execute Nationwide**           **Execute in Border States**

**ORDER OF DETENTION**

Since the above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

**Bail:****Conditions of Release:**

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 5<sup>th</sup> day of April, 2016

**JUDICIAL OFFICER:****SIGNATURE:****NAME:****TITLE:**

Bret Cain  
Judge



Sworn testimony has been given before the Judicial Officer by the following witnesses:

<p>COUNTY OF CARVER STATE OF MINNESOTA</p> <p>State of Minnesota Plaintiff,</p> <p>vs.</p> <p>Brandon Lee Hawley Defendant.</p>	<p>Clerk's Signature or File Stamp:</p> <hr/> <p><b>RETURN OF SERVICE</b></p> <p>I hereby Certify and Return that I have served a copy of this Summons upon the Defendant(s) herein-named.</p> <p>Signature of Authorized Service Agent:</p>
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**DEFENDANT FACT SHEET**

**Other DOBs:**

**Race/Ethnicity:**

**CID:**

**Alias Information:**

**Fingerprinted:**

**Handgun Permit:**

**Location of Violation:**

**Driver's License #:**

**Accident Type:**

**License Plate #:**

**BAC Status:**

**BAC Level:**

**Statute and Offense Grid****Count: 1**

Ct	Statute Type	Offense Date	Statute #/Descr and Sup	Level	MOC	GOC	Rpt Ctrl Agncy	Rpt Ctrl #
1	State Statute	3/28/2016	609.611 subd. 1(a)(2) - Insurance Fraud-Present False Representation/Conceals Facts- Claim for Payment  609.52 subd. 3(3)(a) - Theft- Value of Property or Services \$1001-\$5,000  609.611 subd. 3 - Ins Fraud- Sentence	F	U111H	NA	MN062001S	16000547